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on that foundation? What is the use and necessity of the senate, if it is not to operate as a balance wheel, and is not to constitute a check upon the house of representatives? Why, that is its whole object, and if it would do so, why should we find the people to be represented more immediately in the house of representatives. They come fresh and direct from the people, and represent them more immediately in all their monetary concerns. The senate is designed to represent the representatives, and to guard against any unnecessary extravagance, on account of its experience and the more mature age of its members, to step forward and check them. If it is so contrary a principle, the gentlemen themselves are acting under it, and I imagine they would be as ready to say, that if it were not for this regulation, it is good in another; if it is good in one relation, it is good in another.

will examine our federal representation, and you will find the senate there, is not based on popular numbers. Why is it not. Because it is for the purpose of protecting the great interests of society—and that minority may be protected as well as majorities. But the one great danger to the country is that upon a state of things where minorities may be crushed. The gentleman himself, the young soldier who girded on his sword, and went forth to avenge his country, and vindicate her honor, would be one of the first to stop forward and resist the aggression of a majority. He would say, "I will not be a principle from what he has assumed it to be. It is not that one sovereign shall be protected against another, but that the rights of the minority may be protected against the encroachment of the majority. Look at the southern states, and see the helpless position to which they have been reduced by the action of the Union. Sir, this institution we have come here to protect, and that we are seeking to perpetuate to posterity, would be swept off as with a besom of destruction from every part of this continent, if this was so. And still the gentleman will come forward and say, 'I will not be a principle from what he has assumed it to be. It is not the only proper and right mode of action, when he himself would be the first to resist the encroachments of the majority upon the minority if that was the only true principle, the south would now be a non-entity. He would throw himself into a rebellion, or revolutionary attitude against the balance of the Union, and scenes of riot and bloodshed, and universal massacre ensue. And yet the gentleman will come forward and tell us that when applied to the one. Carry out his argument, and it will not bear investigation. What has he ever been contending for but that the senate is the saviour of the Union? He, like all others has been contending for the extension of the area of slavery, and upon the extension of the area of slavery, the balance wheel of this government rolls on without a hostile. Well, how does

Well, Louis is this population mad-cap? It seems strange, but you can get a voting population there for almost any purpose. Look at the statistics, as presented here in the second author's report, and we find that in 1847, when the census of the States was taken in 1847, there was a voting population in Louisville of nearly 7,900. Well, in 1848, we find that it was 5,000 and something over. It is a fluctuating population, and can be increased at will, for almost any purpose. It is here to-day, and gone to-morrow. It is here to-day, to make out an apportionment bill; if the people are disposed, you can bring in this amount of population, and swell it up to any amount, that may be necessary to give them a powerful representation in the senate. What is the state of the interior of Kentucky? The people there are stationary. The pursuits are agricultural, the wealth and population, and every thing else there, is equally distributed and divided than in the cities. You do not find those enormous fortunes, and that extreme and abject poverty there that you do in cities; but you find property and wealth, and people, among the people. He says that Ohio and Massachusetts and New York do not prosper in the cities. What is their situation? In Ohio they have gone to the extreme in every thing, and are trying now to get back to the position they formerly occupied. Ohio says to the people, "You are over-acting, get back on the old conservative position, and live on your own occupied. So will it be with the state of Kentucky, if she adopts this principle of giving to these overgrown cities as much representation in the senate and lower house as their population is entitled to make out. The voting population of Jefferson county is 10,000, and how amounts to some 9 or 10,000 voters. You may take four of the most populous counties in the interior of the state—Lincoln, Boyle, Garrard, and Jessamin—and they have a voting population of 5,300, and an agricultural wealth of \$1,000,000. The counties of Jefferson and Louisville combined, present a voting population of almost twice that amount, and Jefferson and Louisville have a moni-

capital of near \$3,000,000; and there is where they get a great deal more of power than in the interior. We have there land, and slaves, and stock, but little mortgaged capital. The gentleman from Louisiana pays \$44,000 of revenue, or almost one-fourth of the revenue of the state. Sir, it is true, and I have other evidence that we should guard against this thing. Why, although he tells us of the amount of revenue derived from that county, yet he does not tell us that he supports \$13,000 of it and that the rest of the treasury for his people. She does not, perhaps, pay a much larger revenue than the county of Fayette, and Fayette has but two representatives on this floor, and it is probable that more of her population, that she needs will have more.

Now, I go for the amendment of the gentleman from Franklin, (Mr. Lindsey.) I think it right. It leaves this matter just as we find it in the senate, and gives the cities a full representation in the lower house. Let population be the basis there. Let the people be represented there fully. On all monetary affairs, let them have a full voice. Then let not one be subject to the influence of the other.

Now, you may take the interior portion of the State, and you will see the difference. Take the counties of Clay, Clark, Laurel, Whitley, Knox, Harlan, and Boyle, with a voting population not approaching that of the city of Louisville and its county of Jefferson, and you will find a minority of upwards of one million of square acres. That whole region is to have perhaps but one voice upon the floor of the senate, while the city of Louisville and the county of Jefferson would have, under the present arrangement looking to the increase of population, a greater number of votes than the whole of the remainder of the State. As the gentleman from Madison well observes, take a region of some ten or twelve miles on the Ohio, that would be intimately connected and interested in common, and you will find that they constitute nearly one third, if not one half, of the population of the State. Give to Louisville, with a population of 100,000, as she will probably attain in a few years—give to Covington, opposite Cincinnati, which has now some 12,000, and which has broke on us like a meteor, and give her a population equal to that of the city of New Orleans, an equal number, and to Mayaville her increase, and to other places their, and you at once give them the power to control the destinies of this State. Now, is this agricultural interest to be sacrificed?—is it placed like the southern, dependent upon the north, so as to leave them should be some balance preserved, and engrained upon the constitution. I shall then be for the amendment of the gentleman from Franklin, (Mr. Lindsey,) which leaves the representation in the senate as it is in the present constitution, and I will go for the amendment of the gentleman from Davies, (Mr. Triplett,) with a slight modification, and that is, to insert one instead of two senators. That seems to me to be the just basis of representation, and I submit these few remarks to the committee, such as they are, and which I believed it to be my duty to submit, so far as I am concerned, I submit the question.

the senate?

I should go for the amendment giving to the people the right to be entitled to representative in the senate, a separate representative, but I would have the number limited. No city or county in the state should ever have more than one senator or five representatives. This would be giving to them one-twelfth of the population, and would allow them the right to control them. I am willing to give them a fair representation, and this would be a fair mode of doing it. We see that owing to the great number of counties, in the manner in which they are represented, and the distribution of the population, it is almost impossible to do equal justice upon what we all concede to be the true basis of representation. When this cannot be done, should we not fix a limit, as has been suggested. This limit has already been suggested, and when the population is concentrated, not together, and can bring their influence to bear more directly on a subject, than it is possible for an agricultural people, scattered all over the state. It is true that the interests of the people are not identical, but consistent, with the interests of the farmer of the state, but it is true also that there is a great deal of foreign capital invested in the business of the state which has identity with the interests of the average state. We know that it is the interest of the state. We know that it is the interest of the state. We know that it is the interest of the state.

facturing interests among us, yet we must know also that there are combinations in those cities, foreign to the rest of the state. I know that this is not so with a majority, yet men are apt to go for their own interests, and for the interests of those more nearly connected with them in monetary concerns, than the balance of the state. That is the case with Louisville, and we must look at human nature, and see to what a great extent the idea of making money operates upon all of us. We shall be compelled to acknowledge its justice. Louisville is now, I believe, entitled to three representatives, and I am willing that she should have four, and that Louisville and Lexington should have more than one-twentieth part of whatever shall be decided upon as the legislative representation of the state. I prefer that we should fix it at one hundred, rather than seventy five, as the first number would increase the ratio, and make the representation more unequal, and the proportion of the large cities that much greater. I am desirous to see the increasing growth of these cities among us, and desire to do them no wrong; must acknowledge that I desire to prevent their exercising an undue control in the affairs of government, by having a majority of the representation. As we can never, by any system, secure a perfect equality of representation, I am willing to give the cities a majority, and let them lose more votes than the other portions of the state. They will even under the plan proposed have more weight than many of the counties of the state. Take the county of Logan, under the proposed plan, she would have but one representative, and yet she has a voting population of 3151. She therefore would lose 628, almost one-third of her population, and I am willing to give a limitation then, can we ever do more injustice to any city that may grow up among us than is done here to Logan county? Many other counties would lose ten and twenty per cent, and some twenty two or twenty three per cent, while by fixing a limit on the cities, they would never lose so great a percentage. I am willing to give to them the same number of senators and five representatives, and unwilling to go beyond that.

On the subject of slavery, I shall not remark, though I think the amendment will fail to accomplish its object and hope therefore it will not be adopted. At some other time I may give my views on the subject of slavery, but I do not think it has any connection with the present subject. Having got through with my remarks on this point, and notwithstanding that in so doing I may be considered out of order I will add no

Mr. STEVENSON. I do not rise to participate in this discussion, but after the gentleman from Campbell (Mr. Root) has undertaken to speak for the county of Kenton, the constituency I represent, in the manner which he has, I should be recreant—

Mr. ROBT. I spoke of Kenton in connection with Campbell, and only so far as others had connected them.

colleague, Mr. T. C. SONG, "I am glad to hear the explanation of the gentleman, but he certainly said that Kenton and Campbell were to be made the scape-goats, and he gave an expression of feeling in a manner which every member on this floor must have understood to include on individuals in the northern part of the State. I do not rise to take part in this discussion now, although I may do so before the subject closes, but to say that I should be recreant to my constituents and bastard to the very title of Kentuckian, if I should hear such sentiments uttered in this hall, and I should be unwilling to pronounce them as wise aspersions upon the character of my constituency. They may live on the border, and within the very feid atmosphere of an anti-slavery state, but the sights they have there witnessed, and the atmosphere in which they have lived, will have made them but the firmer in their adherence to the principles upon which Kentucky stands."

and, in the same address, he declared his adherence to no man in a firm advocacy, and sincere feeling for pro-slavery principles, and I made the race against a gentleman, to whom, in point of high talent and superior age and experience, I bow with humble obsequies. I came here as the representative of an overwhelming majority of what Kentucky has to boast of, in her citizens, who are well educated in principle, ready to defend her rights from whatever quarter the attack may come, whether from the fanaticism of abolitionism or any other, and ready to give her help to those who sympathize with her, when the cry for help shall come. As to our claim for representation on a fair and equal basis, I have no objection to making it down the road, if the sentiments of the gentleman from Campbell are to be regarded as the true current of public sentiment in our quarter. As a distinguished friend remarked, "one white gentleman was speaking, 'if he could any doubt how he should vote, if the gentleman from Campbell were sitting in the chair, he would not dissent from the proposition.' We meet here to settle great and high principles, and with a common confidence in the generosity and common justice of our fellow members of this body, come from whatever section they may, and when I come, if I shall take part in this discussion, to place myself in the same position. I am sure I shall point to my seat on this floor as a complete refutation of the assertion that though my constituents live on the border of the state, they will ever prove untrue to the interests of Kentucky. I am pleased to hear the sentiments expressed by my friend from Campbell. I undertake to answer him, and I will do so, and I will live in sight of each other, and I know I may say emphatically from my own experience, that he does not speak the sentiments of a large portion of Campbell, when he says that 'slavery is a sin, and that he would rip out the leaf of his bible if it dared to uphold it.' There are slaveholders in Campbell, and I am sure I can compare with any in this convention, and I think the gentleman casts an aspersion upon them, when he attributes to them the sentiment which he indicated here this morning. I was pained for another reason, and that is the record of our proceedings. The gentleman's speech will be taken as a text by the abolitionists, and when they come to the point of view, and when gentlemen rise in the national halls and say that while they leave the poor poor to the southern states, of controling slavery within their limits, that they are forever to stand still, and never go into a territory belonging to the Union, and won by their sons, and fathers, and grandfathers, and great-grandfathers, the Kentucky Convention should be the text from which they would preach their homilies of abolition. I felt proud of my own native state, when, at a public dinner the other day, I saw among the seat-sons, 'Kentucky; no colony to southern giants' will hold a seat within her Convention, and I felt pained, and then the gentleman's speech shall be the portul, then we shall be obliged to make an exception to that fact in his person.

I repeat, he did not intend to participate in this discussion, but as the gentleman may be surprised by some to speak the sentiments of southern Kentucky, I felt that I should be rec-
 -ogent to those whom I represent on this floor, did I let the sentiment pass without an instant denial or a refutation. I hope to have an opportunity to break a lance with my friend on the subject of slavery, when the resolution of the distinguished gentleman from Henderson, (Mr. Dixon,) shall come up; and at least I think I shall be willing to go before the people of both counties, and appeal to them which has most correctly represented them on the subject.

Mr. HARKIN. I have an amendment that I propose to offer at a proper time, which I will read. It is to be inserted after the word "in," in the 10th line, and 5th section.

"The house of representatives, and whenever any city or town shall have qualified voters equal to the ratio required to entitle it to one senator, such city or town shall elect a senator: *Provided*, That in no event shall such city or town ever have more than five representatives and one senator."

I know the basis of representation is population and not property. That is the basis to a great extent in the government of the United States. But there are two conservative principles in the constitution of the United States; one is, that the slaveholding states get a repre-

sentation for three fifths of their slaves. To be sure they get a privilege, but they are liable to a direct tax in proportion to their representation in the house of representatives. Direct taxes, however, have never been levied but twice, and perhaps they will not be again. It is a very expensive tax to collect; it cost \$14.74 for every hundred dollars to collect it and cover defalcations.

There is another conservative principle, and that is, that the smaller states are represented in the senate as sovereignities, and Delaware and Rhode Island have the same weight as Pennsylvania or New York. The senate is a congress of sovereignities. Now, each of these features is contrary to the principle of representation according to population, and is a contrary feature, which does not apply to counties. There will be no danger for twenty years to come, that these cities will have enough population for two senators. I am unwilling that any city should send more than one representative to the legislature, to the house of representatives, or more than one to the house of representatives, or more than one to the house of representatives of the members to the senate. Give them five representatives and one senator, and stop there at that.

I did not rise for the purpose of making any remarks, but as I am up, I will make a single remark in answer to the gentleman from Louisville, (Mr. Preston, who has spoken so exceedingly well, and in such very large portion and style of Louisville, and of the fine taste and worth of the Louisville people.) I will say that the country is so small. It is true. It is fortunately situated in the state of Kentucky. It is the garden spot of America. But much of this is owing to its position and locality; it seems to me though, that it ought not to be. Aaron's rod and the serpent are the emblem of the Louisville gentleman, said that Louisville was the garden spot of the world. A large proportion of the men that went out in the last war with Mexico, in furnishing that proportion however, it excluded a very large proportion of the balance of the state. There was no draught in Kentucky, thank God, the only one in the world, and the men that went out and not who should be draughted, ten. Five thousand of the best men in Kentucky, were tendered shortly after the regiment was filled. It was considered a peculiar favor to Louisville that she got her regiment in, while four or five other cities were disappointed. I am now offering their services. I consider it a favor to Louisville, and in that regard she stood forth in place of the balance of the young men in Kentucky. She behaved very handsomely, and I

Las had but a fourth of the officers that went from the state of Kentucky, when the balance of the state was in no wise behind Louisville, but it was when we came to the fighting part of the campaign that we were not out of the battle. Three days Monterey was besieged, and there were three days of fighting from day break to dark, and yet they did not get in. I have no doubt they were as ready as any men in Kentucky, but why General Taylor did not bring them into action, I do not know, nor was it a surprise to me. I do not know, but I only know one thing I do know, that at the battle of Buena Vista the second regiment from the state of Kentucky was there, and how pretty they came in. Yes Sir, and they had too, and caused blood to flow from the enemy, and we called, and I will be for an hundred years to come, "the bloody regiment." I will be glad to go to the battle of Buena Vista here to the burial place of the Kentucky soldiers in the cemetery. you will see some indications of it. I have examined that place, and I did not see the grave of one soldier from the Louisville legion here. I examined it yesterday with a young man from Bardonia who was under arms in the Louisville legion, and he was of the Louisville legion. Do not understand me to say that they would not be just as ready as any men

that they would be the first to say any thing to a Jew, and they are the first to begin putting up here, between Kentucky and danger, as if the stool for the balance of the state, Kentucky was ready, and to her honor and glory, her sons had to be dragged out instead of dragged in. But in relation to the regular army, I must say I regret to see it fixed up for the civilized population, to come to the high road to the wilderness, to be in less than one hundred years. It was the downfall of the ancient republics of Carthage and of Rome, and sooner or later it will be the downfall of every republic the world ever saw, that shall put into its armies foreign mercenaries. I regret very much any invitations to come to the fair, and to the exhibition of which I have already said I pity the people, the oppressed English, the Scotch, the Irish, the Prussians, the Austrians and the Hungarians; you is it very polite to invite many more of you here? We have to take care of ourselves. Sir, I have before spoken on this subject, and on a subsequent occasion that may present itself, I expect to speak again, and I shall be glad to see you here, however, I wish to tell you we had some stronger naturalization laws than we have, for no one can feel seeing that the papers who are coming here from Europe in such numbers, or wealthy men, if you will have it so, will make a population to press on the means for the support of the rest. What are we to do with such a vast multitude that will be in the country in forty years, if this hot climate in some way.

ment way.

When I heard a deal of force in what the gentleman from Illinois said on Saturday, like Abraham's fair speeches, he ran off with my heart; but I have thought of it since Saturday night, and I do not believe I am as badly deceived as the gentleman from Louisville thought I was. We know there is, on the river border, a strong feeling leaning toward the abolitionists on the one side of the river. What is it that is swelling the population of Newport and Covington? Why, I am told it is no population of Cincinnati that is pouring in, not to make it a business place, but a home for their families, while their business is in Cincinnati, and they have no other place to go. This itself shows that my fears are well founded when one of the ablest men in Kentucky had to take the stump, or his antagonist, who was for emancipation, might have carried the whole county. It was fortunate that gentleman was vigorous, and fortunate he had some good friends to back him up.

It is a feeling, I am to be told, an anti-slavery feeling, I would not give one good, stout, hearty Kentucky man for a dozen Cape Cod, or Massachusetts men; nor would I give a dozen Kentuckians for ten thousand cast of the Rhine. I pity them, but my feelings are for Kentucky, and I pity them for a population I see and feel as they swallowed up a man, and that which the Wilmot proviso, the slave-holding states will be swallowed up in forty years. But, thank God, I shall be gone before that time. I may, on some future occasion, speak further on this subject. My feelings are much like those of the gentleman from Louisville. I pity these foreigners from the North, but I pity them less than the slave-holding population; and I repeat what I said the other day, that if the whole of Europe were to unite to crush the United States, the last gun for liberty would be fired in the slave holding states. The people of the slave holding states regard liberty as a high personal privilege, which they will not let the rest of the world take away. If slavery does not exist, they regard it as a political right.

nal figure. "PRESIDENT. I am exceedingly sorry that the elder seventh man from Nelson Lane sent to cast a base and infamous stigma upon the gallantry of the soldiers of Louisville and Jefferson county. He says he sees on that bill no name of any citizen of Louisville. If he had waited till the monument which is to be erected there was completed, he would have seen the name of the gallant CLAY, who fell fighting in the foremost ranks; and he would have learned that he was a citizen of Louisville—not born there, but it is true—but a citizen by adoption, and a choice as many other of her citizens are, and he would have forborne the stigma on the city of Louisville, a stigma in-ought, and for that reason more damnable than if it was charged direct.

I was not born in Louisville, sir, but it is the city of my adoption, and I can tell the gentleman that the spirit of freedom burns as pure and as independently in the bosoms of the citizens of Louisville, as it does in the bosoms of the citizens of any portion of Kentucky. It is true

sir, the Louisville Legion shed no blood at the battle of Monticemy, and it is true that battle continued two days. But where was the Louisville Legion? They were placed, by the order of General Taylor, to guard the battery that sheltered those who made the charge, and for twelve hours they endured the fire of the enemy without action, unhelpfully. Why they were placed there is in the breast of that man, but upon that battery and its men depended the safety of the army, and he confided in those, who he believed were sufficient to defend it.

Surely, in carrying out an act of political intransigence, it is not necessary to rush the citizens, who with bravery and enthusiasm, rushed to the rescue of their country, to the point of no return. The proposition is a proposition to English us our fair portion of political rights in the commonwealth of Kentucky. It is a proposition now directed solely and exclusively against the city of Louisville, that she shall have an equal voice in making the laws that are to govern a free people. It is an act of political intransigence, and though the southern men may have had to sleep upon it, in order to have it imposed upon it, it seems that that sleep has done him to bring himself to perpetrate this act of political intransigence, which he had some grudging about in the first instance.

The principle upon which our government is established is universal suffrage. We profess to hold it in the old constitution, and we are about to proclaim it in the new. But it will have to be struck out, if this act of political injustice is not speedily corrected. It will be false, utterly, totally, unconsciously, to say that the slaves to the people of Kentucky, and to the world, are equal people are equal and entitled to equal rights, that is a principle, and no man who acknowledges the principle, if he acts consistently, but only in the name of the principle, can deny the principle, and say that it is not entitled to equal political rights. Will, if we are not entitled to them, and you deny that principle, where is it to end? Where is the limit of rights of a portion of the people? Will it be in the will of a majority, based on no principle but that of expediency. And that majority will have a will not anchored by principle, but expediency will lead to the very same grade of despotism that ruled in the old empire of Russia, that tramples upon the rights and liberties of the continent of Europe, and lies hither and no footing on the shores of America, or if a footings on the shore and extension of the principles have been in the days of the revolution consistently in America.

What is the reason adduced by the gentleman from Madison for uttering these words, I suppose he says that the slave population will not be false to their masters, if this principle is carried out. Three-fourths of the votes that were cast for the platform of the Democratic Convention at Louisville, were cast by men who were slaves — by men who did not worship at that shrine, and they cast their votes on principle. They said that our fathers when they framed this Constitution had no relations in justice, and in morality, to the slave population, and they determined that the platform in justice, and in morality, should be that private property was not to be taken without just compensation — that it was the great privilege of a free people to lay it on and to take it off, and keep it on that foundation. And as the law had been made, and individuals had invested in it, it was the public impulse that this species of property should be excluded, if they thought they should exclude it. They had acquired it and so, naturally appealing to their consciences, they based on the foundation of the constitution, we supposed to men to stand by the rights to property as they would stand by the rights to liberty, equality, and equal rights and would not shrink from the sacrifice.

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On the subject of material improvements, which some men of delicate sensibility, or which have been the cause of the doubt or nearly doubted, the value of the whole of the real estate in the country, where did Louisville stand? She was in favor of them, and with her voice and her aid and assistance enabled them to be carried on. And it is obvious to any one acquainted, or who will look at the records of the legislation of that time, if she had withdrawn her assistance, and if she had not been so judicious and thorough the state, and no slave-trade navigation, and she is now furnishing an example of enterprise to the balance of the cities, in the railroad she is building from the city of Louisville to this capital, and thence to the city of Lexington, and from thence through the northern portion of the state to join the Baltimore and Ohio railroad, and thus open the markets of the west, and she will be enabled to do it, if we are wise, and it is the enterprise of Louisville that points to this work.

The citizens of Kentucky will derive no advantage from their choice. What do they fear? Why say they are to get all our produce, and that you choose to bring, and she pays for it. I hope the trade of Louisville is a mutual advantage to both city and country; and it is obvious to every one who has remarked it, that within the borders of the city there is a home market, beneficial to the citizens of Kentucky. Sixty thousand hog-heads of tobacco are imported and sold at a home market, and the farmer receives his money for it. It is evident that Louisville is increasing and producing a market beneficial to the state. Is it that market that causes gentlemen to look with suspicion upon her?

Mixed Paint for family use, for sale.
Work attended with promptness, on the most liberal terms.
Frankfort, October 3, 1849.—214

